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Attorneys for Defendant
SERRANO ELECTRIC, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

QUALITY INVESTMENT PROPERTIES
SANTA CLARA, LLC, a Delaware limited
liability company,

Plaintiff,

v.

SERRANO ELECTRIC, INC., a California
corporation; and PETERSON POWER
SYSTEMS, INC., a California Corporation,

Defendants.

SERRANO ELECTRIC, INC.,

Cross-claimant,

v.

PETERSON POWER SYSTEMS, INC.,

Cross-defendant,

AND RELATED CROSS-ACTIONS.

Case No.: CV-09-5376-LHK

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONDUCT THE
DEPOSITION OF PERCIPIENT
WITNESS RONALD WILLIAMS, JR.
OF EATON CORPORATION ON
MAY 26, 2011**

STIPULATION AND ~~PROPOSED~~ ORDER TO CONDUCT THE DEPOSITION OF PERCIPIENT WITNESS
RONALD WILLIAMS, JR. OF EATON CORPORATION ON MAY 26, 2011

1 The parties submit this Stipulation and [Proposed] Order:

2 1. Counsel for defendant Serrano Electric, Inc. subpoenaed percipient witness
3 Ronald Williams, Jr. of Eaton Corporation for his deposition on May 18, 2011 at 9:30 a.m. in San
4 Francisco, California. Mr. Williams is located at Eaton Corporation's business office in
5 Livermore, California.

6 2. On Friday, May 13, 2011, Mr. Williams confirmed his availability for deposition.

7 3. On Monday, May 17, 2011, counsel for defendant Serrano Electric, Inc., Jill
8 Rizzo, received a call from Edward Blakemore at Eaton Corporation's corporate office in Ohio.
9 Mr. Blakemore informed Ms. Rizzo that Eaton's protocol for depositions is to have counsel
10 present, including the deposition of Ronald Williams, Jr. However, Eaton's counsel is not
11 available on May 18 and requested that counsel move the deposition to May 26, 2011 when
12 counsel and Mr. Williams are available for deposition.

13 4. The discovery cut-off date in this matter is May 18, 2011. However, all counsel
14 stipulate to conducting the deposition of Mr. Williams on May 26, 2011.

15 5. Therefore, this stipulation and [proposed] order solely seeks the Court's
16 permission to conduct Mr. Williams' deposition on May 26 so as to accommodate the witness's
17 counsel, not to continue the discovery cut-off deadline so that the parties can continue to conduct
18 any other discovery.

19 Respectfully submitted,

20 DATED: May 17, 2011

21 LeClairRyan LLP

22 By: Jill K. Rizzo _____/s/_____
23 Charles H. Horn
24 Jill K. Rizzo
25 Attorneys for Defendant/Cross-
26 defendant/Cross-claimant
27 SERRANO ELECTRIC, INC.

28 STIPULATION AND [PROPOSED] ORDER TO CONDUCT THE DEPOSITION OF PERCIPIENT WITNESS
RONALD WILLIAMS, JR. OF EATON CORPORATION ON MAY 26, 2011

1 DATED: May 17, 2011

Lewis Brisbois Bisgaard & Smith LLP

3 By: Katherine A. Higgins /s/ _____
4 Katherine A. Higgins
5 Attorneys for Defendant/Cross-
6 defendant/Cross-claimant
7 PETERSON POWER SYSTEMS, INC.

8 DATED: May 17, 2011

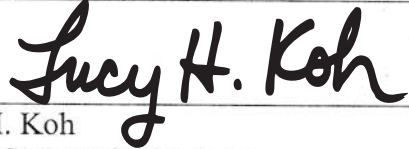
Sedgwick LLP

9 By: Joel M. Long /s/ _____
10 Joel M. Long
11 Attorneys for Plaintiff
12 QUALITY INVESTMENT PROPERTIES
13 SANTA CLARA, LLC

14 **[PROPOSED] ORDER**

15 Pursuant to the parties' stipulation, the Court orders that the parties may conduct the
16 deposition of Ronald Williams, Jr. on May 26, 2011. The Court further orders
17 that all other dates and deadlines remain as set, including the deadline for all other fact discovery.
18

19 Dated: May 17, 2011

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21 Lucy H. Koh
22 United States District Judge
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28 STIPULATION AND ~~[PROPOSED]~~ ORDER TO CONDUCT THE DEPOSITION OF PERCIPIENT WITNESS
RONALD WILLIAMS, JR. OF EATON CORPORATION ON MAY 26, 2011